

1 ERIC S. C. LINDSTROM (CA BAR NO. 197063)
2 MCKENNA LONG & ALDRIDGE LLP
3 101 California Street, 41st Floor
4 San Francisco, California 94111
Telephone: (415) 267-4000
Facsimile: (415) 267-4198
elindstrom@mckennalong.com

5 DAVID L. BALSER (GA BAR NO. 035835)
6 (ADMITTED PRO HAC VICE)
dbalser@mckennalong.com

7 NATHAN L. GARROWAY (GA. BAR NO.
8 142194) (ADMITTED PRO HAC VICE)
ngarroway@mckennalong.com

9 McKENNA LONG & ALDRIDGE LLP
303 Peachtree Street, N.E., Suite 5300
Atlanta, GA 30308
Telephone: (404) 527-4000
10 Facsimile: (404) 527-4198

11 Attorneys for Defendant
12 CINGULAR WIRELESS LLC

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

16 DAVID and LISA FAIGMAN,
17 individually and on behalf of a class of
other similarly situated,

18 Plaintiffs,

19 v.

20 CINGULAR WIRELESS LLC; and DOES
21 1 through 100, inclusive,

22 Defendants.

CASE NO. C 06-04622 MHP

**STIPULATION TO EXTEND TIME TO
FILE AND SERVE RESPONSIVE
PLEADING PURSUANT TO NORTHERN
DISTRICT LOCAL RULE 6-1(a)**

23 **STIPULATION**

24 **WHEREAS**, Plaintiffs David and Lisa Faigman ("Plaintiffs") filed the above-entitled
25 action in California Superior Court for the County of San Francisco on or about June 23, 2006;
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1 **WHEREAS**, Defendant Cingular Wireless LLC ("Cingular") removed the above-
2 captioned matter to the United States District Court for the Northern District of California on July
3 28, 2006;

4 **WHEREAS**, on August 3, 2006, Plaintiffs and Cingular entered into a previous
5 stipulation pursuant to Northern District Local Rule 6-1(a) extending Cingular's time within
6 which to answer, move against, or otherwise respond to Plaintiffs' Complaint until September 18,
7 2006;

8 **WHEREAS**, on September 5, 2006, Cingular filed an Unopposed Motion For
9 Administrative Relief Pursuant To Local Rule 7-11 Regarding Leave Of Court To File A Motion
10 To Dismiss Before The Initial Case Management Conference no later than September 18, 2006;

11 **WHEREAS**, under Northern District Local Rule 6-1(a), parties are permitted to "stipulate
12 in writing, without a Court order, to extend the time within which to answer or otherwise respond
13 to the complaint . . . provided the change will not alter the date of any event or any deadline
14 already fixed by Court order";

15 **WHEREAS**, the earliest deadline fixed by the above-captioned Court's Order Setting
16 Initial Case Management Conference and ADR Deadlines, dated July 28, 2006, is October 23,
17 2006;

18 **WHEREAS**, the parties conferred on September 7, 2006, and have determined that
19 additional time is necessary to explore early resolution of this matter; and

20 **THEREFORE, IT IS HEREBY STIPULATED**, by and between the parties through
21 their undersigned counsel, that Cingular shall answer, move against, or otherwise respond to
22 Plaintiffs' Complaint no later than October 20, 2006, and that Cingular's Unopposed Motion For
23 Administrative Relief Pursuant To Local Rule 7-11 Regarding Leave Of Court To File A Motion
24 To Dismiss Before The Initial Case Management Conference is withdrawn without prejudice to
25 re-file.
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1 Dated: September 7, 2006

COTCHETT, PITRE, SIMON & MCCARTHY

2
3 By: 

Bruce L. Simon
Esther L. Alisura

4
5 Attorneys for Plaintiffs
6 DAVID and LISA FAIGMAN

7 Dated: September 7, 2006

MCKENNA LONG & ALDRIDGE LLP

8
9 By: 

Eric S. Lindstrom

10
11 David L. Balser (PRO HAC VICE)
Nathan L. Garroway (PRO HAC VICE)

12 Attorneys for Defendant
13 CINGULAR WIRELESS LLC

14
15
16
17 September 18, 2006



PROOF OF SERVICE BY MAIL**FAIGMAN V. CINGULAR WIRELESS LLC****USDC, NORTHERN DISTRICT OF CALIFORNIA - CASE NO. C 06-04622 MHP**

I am a citizen of the United States and employed in the County of San Francisco, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 101 California Street, 41st Floor, San Francisco, California 94111. I am readily familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service. On **September 7, 2006**, I placed with this firm at the above address for deposit with the United States Postal Service, a true and correct copy of the within document:

***Stipulation to Extend Time to File and Serve
Responsive Pleading Pursuant to Northern District Local Rule 6-1(a)***

in a sealed envelope, postage fully paid, addressed as follows:

Bruce L. Simon, Esq.
Esther L. Klisura, Esq.
Cotchett, Pitre, Simon & McCarthy
840 Malcolm Road, Suite 200
Burlingame, CA 94010

Attorneys for Plaintiff and the Class
David and Lisa Faigman,
individually and on behalf of a class
of others similarly situated

Harvey Rosenfield, Esq.
Pamela Pressley, Esq.
FOUNDATION FOR TAXPAYER AND
CONSUMER RIGHTS
1750 Ocean Park Boulevard, Suite 200
Santa Monica, CA 90405

Attorneys for Plaintiff and the Class
David and Lisa Faigman, individually
and on behalf of a class of others
similarly situated

Following ordinary business practices, the envelope was sealed and placed for collection and mailing on this date, and would, in the ordinary course of business, be deposited with the United States Postal Service on this date.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on **September 7, 2006**, at San Francisco, California.


Gina Paronelli